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MEMORIAL ADDRESSES

ON THE

LIFE AND CHARACTER

OF

NEWTON W. NUTTING

APRIL 5, 1890

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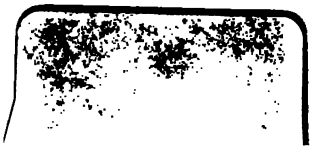

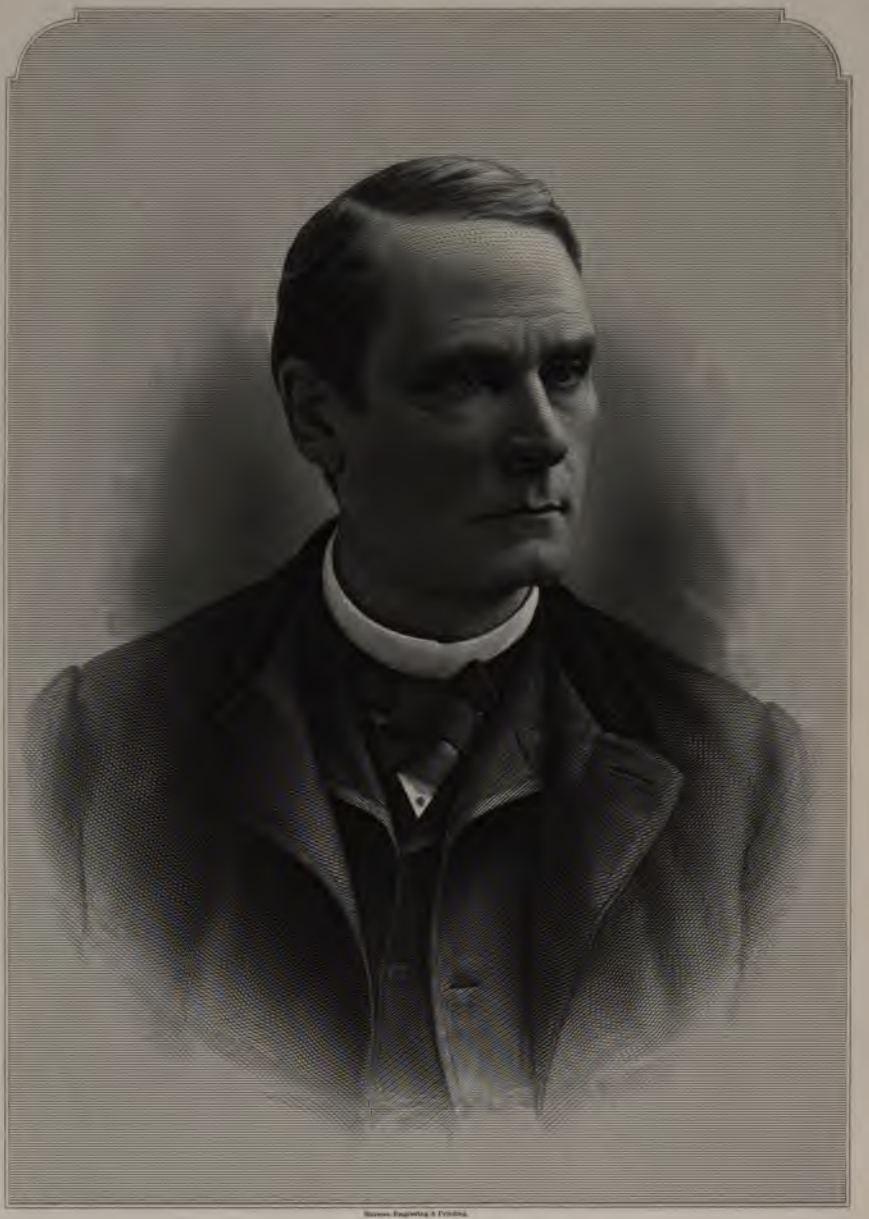

HON. NEWTON W. NUTTING.

MEMORIAL ADDRESSES

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HON. KEPTON W. NUTTING.

MEMORIAL ADDRESSES

ON THE

LIFE AND CHARACTER

OF

NEWTON W. NUTTING,

(A REPRESENTATIVE FROM NEW YORK).

DELIVERED IN THE

HOUSE OF REPRESENTATIVES AND IN THE SENATE,

FIFTY-FIRST CONGRESS, FIRST SESSION.

PUBLISHED BY ORDER OF CONGRESS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1890.

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A 5341

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be printed of the eulogies delivered in Congress upon the late NEWTON W. NUTTING, a Representative in the Fifty-first Congress from the State of New York, ten thousand copies, of which two thousand five hundred copies shall be for the use of the Senate and seven thousand five hundred for the use of the House of Representatives; and the Secretary of the Treasury be, and he is hereby, directed to have printed a portrait of the said NEWTON W. NUTTING, to accompany said eulogies, and for the purpose of engraving and printing said portrait the sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated. That of the quota to the House of Representatives the Public Printer shall set apart fifty copies, which he shall have bound in full morocco, with gilt edges, the same to be delivered when completed to the widow of the deceased.

Approved, September 19, 1890.

PROCEEDINGS IN THE HOUSE OF REPRESENTATIVES.

DECEMBER 18, 1889.

Mr. PAYNE. Mr. Speaker, it becomes my painful duty to announce the death of the Hon. NEWTON W. NUTTING, a Representative-elect to the Fifty-first Congress and my immediate predecessor. Judge NUTTING was a member of the Forty-eighth Congress and also of the Fiftieth Congress. At a later day I shall ask the House to take appropriate action in recognition of his faithful public services and of the purity of his private character.

I offer the following resolutions.

The Clerk read as follows:

Resolved, That the House has heard with deep regret and profound sorrow of the death of the Hon. NEWTON W. NUTTING, late a Representative from the State of New York.

Resolved, That the Clerk be directed to communicate a copy of these resolutions to the Senate.

Resolved, That as a further mark of respect the House do now adjourn.

MARCH 22, 1890.

Mr. PAYNE, by unanimous consent, submitted the following resolution; which was considered, and adopted:

Resolved, That Saturday, April 5, beginning at 3 o'clock p. m., be set apart for paying tribute to the memory of Hon. NEWTON W. NUTTING, late a member of the House of Representatives from the twenty-seventh district of the State of New York.

APRIL 5, 1890.

The SPEAKER. Three o'clock having arrived, the House will proceed to the consideration of the special order.

Mr. PAYNE. I submit the following resolutions.

The Clerk read as follows:

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. NEWTON W. NUTTING, late a Representative from the State of New York.

Resolved, As a further mark of respect to the memory of the deceased and in recognition of his eminent abilities as a distinguished public servant, that the House at the conclusion of these memorial proceedings shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

ADDRESS OF MR. PAYNE, OF NEW YORK.

Mr. SPEAKER: There is nothing in nature that surpasses the beautiful scenery of the lake region of central New York. Nestling among the hills, these inland lakes lend variety to the landscape and give beauty and charm. The soil is rich, the farms are well cultivated, and the people prosperous, intelligent, and contented. They illustrate the best element of our American life. The universal comfort is the result of patient and honest toil. The youth learn early the lesson that success comes only through perseverance and hard and persistent work. At the same time the open book of nature reveals new beauties which bring out and develop the highest and best instincts of humanity. Love of country, love of liberty, and love of virtue are but the natural outgrowth of such surroundings.

It was in this beautiful region, near the shore of Oneida Lake, while much of the country was yet a forest, that NEWTON W. NUTTING was born, on the 22d day of October,

1840. His father was Rev. William Nutting, of the town of West Monroe, in the county of Oswego. With the limited income of a small farmer he was unable to give his son the advantages of a liberal education. But young NUTTING did not lack for sound instruction at his own home. During the weary days of his last sickness he found relief in writing a little history of "One Day Out of Seventeen Thousand," in which he describes his first day's hunt with his father, and these are some of the lessons he received.

Stopping near a spring of sparkling water, the father was interrupted in his reverie by the son with a question for "his thoughts."

"It is thirty years," he replied, "since the first time I saw that spring. I was twenty-one years of age, and these waters bubbled up and ran away just as they do now. All these years has this spring been noiselessly sending forth to the world that life-giving water. It never gets weary, nor does it stop for a moment in its good work. The Divine Being, to Whom we are all accountable and Who guides us all our lives if we will let Him, furnishes the fountain somewhere in the hills. This spring, my boy, should teach us a lesson in life. It should teach us that the things that come from God's hands are pure and clean. It should teach us not to stop in our efforts to do our fellow-men good. It should teach us to do acts of love without show or noise. It does tell us that God has provided and will provide for all the beings dependent upon Him."

Later in the day, remarking the zest of the boy in the hunt, the father said: "You seem to enjoy this, my boy; it is natural you should. This is your first real hunt; you are just commencing, and my hunts are coming fast to an end. You see your sun of life always in the east, and the journey of life to you seems to be a long one. I see my sun of life

always in the west, and the journey of life seems short. Life is a curious state. You can not comprehend it and you will never be able to explain it to yourself even. You are now about ten years of age. Before you realize it you will be fifty, and when you are fifty I will sleep my last sleep. My labors and cares in life are drawing to a close; yours are just commencing. You will find this life, that now looks so pleasant and rosy to you, unsatisfactory. You will long for something beyond; and there is something worth longing for after this life is past. I can not express to you how anxious I am that you should choose the right way and the 'better part.'"

The teachings of the father bore fruit in the life of the son, as we shall witness later on.

But though the little farm stood almost alone in the clearing and the forest, with the growth of centuries, seemed to shut out young NUTTING from the great and busy world beyond, his was an indomitable spirit that could not be confined. He possessed what is better than unlimited means for the average American youth. He had pluck, push, and energy. He had an inquisitive mind and a genuine thirst for knowledge. By dint of teaching the district school he managed to acquire a thorough academic education, although he was unable to supplement this by a collegiate course, and the lack of this was a fact he often deplored in his later life.

Supporting himself still by his own efforts, he pursued the study of the law and was admitted to the bar soon after he attained his majority. He began the practice of his profession in the little village of Parish, among the neighbors and friends of his boyhood. Is there a position more trying than that of the country lawyer? He is the observed of all observers. If he gets a retainer the neighborhood

knows it. The merits and demerits of his cause are tried at the bar of public opinion, and often the verdict is rendered before he gets a chance to present them before the legal tribunal. If he swerves a hair's breadth from the line of strict integrity the people find it out and set upon him the seal of condemnation, while on the other hand an intelligent community is ever ready to judge him upon his merits. If he deserves success they will not fail to accord him the full measure to which he is entitled. They become jealous of his honor and constitute themselves the guardians of his reputation. It is no mean achievement to obtain the confidence of such a constituency. Such was young NUTTING'S success in obtaining the esteem of his neighbors that in his twenty-third year he was elected to the important office of commissioner of schools, in which position he served most successfully for a term of three years.

During this time his profession called him frequently to the county seat, where he presented his cases to the highest courts of his county. He had the qualities of a successful lawyer. He was studious, thorough in his profession, trusted his clients and believed in the justice of their cause, and he was self-reliant. His talents attracted the attention of his associates and his peers, and he removed to the city of Oswego in 1866, where he entered into partnership with Hon. John C. Churchill, formerly a member of this House and now a justice of the supreme court of New York.

It was in this city that he passed the remainder of his days. It was a commercial town of no mean pretensions, being among the first twelve in the whole country in the volume of its trade and commerce. With the enlarged field came opportunities for achievement and success, and he did not fail to improve them. The people again and again recognized his ability and worth, and again and again called

him to still higher places of responsibility, power, and trust. In 1868 they made him district attorney of his county. In 1877 they elected him to the important office of county judge, and in 1883 he resigned this position to take his seat in the Forty-eighth Congress. Through a rearrangement of his district, he was not returned to the Forty-ninth Congress, but was a member of the Fiftieth Congress and was re-elected to the Fifty-first. He died at his home at Oswego on the 15th day of October last, in the forty-ninth year of his age.

Judge NUTTING was truly a self-made man, and his lack of early training was fully made up by his patient industry and perseverance. The neighbors of his early days delighted to tell of the way the poor boy clambered up into the judge's bench and won a seat in the national Congress. The general qualities that marked his manhood were characteristic of his early youth and made him many friends who were devoted to him through life.

It was my privilege to form his acquaintance early, and for twenty years our friendship was unbroken. Twice our political ambitions crossed each other, but the contests left no bitterness and ever after our friendship was on a firmer basis. The best judges of a man's true character are those who have known him during a life-time. It is no small tribute to the character of Judge NUTTING that for more than two-thirds of his life, after his admission to the bar, he held places of responsibility and trust in his native county to which he was called by those who knew him best.

As a lawyer he gave his clients the best that was in him, making their cases his own. He was painstaking and industrious. He knew how to be courteous to the opposite side and yet faithful to his friends. He was never unprepared; never lost a case through lack of hard work. He

was honest and truthful, and ever had faith in his causes and could see the end from the beginning. As prosecuting attorney he was firm in the discharge of his duty and ever humane and kindly towards the weak and erring.

As a judge he was still more successful and added other laurels to his reputation. He was dignified in his bearing and always upright and above suspicion. He had a judicial mind. He had no difficulty in applying the principles of law and held the scales of justice with an even hand. He was kindly and considerate. The younger members of the bar remember him with gratitude and since his death have paid many a feeling tribute to his memory. Of his career here, Mr. Speaker, others can speak better than myself. It was, however, my privilege to be associated with him in the Forty-eighth Congress, when we were both serving our first term. Though retiring in his disposition, his genial manner brought him many warm friends. He was keenly alive to every question that came up, and his voice was often heard in debate.

He never talked unless he had something to say and he gained that difficult thing for a new member, a position of recognized power and influence during his first term. Returning to the Fiftieth Congress, he won a high place by the same pluck and perseverance that had gained for him all the success of his life.

He took great interest in the commercial welfare of his district. Living on the border of one of the Great Lakes, he became sensible of the needs of our commerce. It was the ambition of his life to unite the lakes and the seaboard by an American water way that should checkmate the efforts of our neighbors on the north to divert our American traffic. Although attacked three years before his death with the malady that finally proved fatal, he labored in Congress and

out for the promotion of this favorite idea. He endeavored to interest, not only the House, but the whole country in this great enterprise.

He was a firm friend of the soldiers. He was vigilant where their interests were involved, and no worthy veteran ever applied to him in vain.

Judge NUTTING remained here during the second session of the Fiftieth Congress and after its close returned to his home, realizing that his disease was fatal. The months that followed proved his courage and heroism. No one knows better than his associates the labor, trouble, and annoyance of a member of Congress during the first few months after his party has come into power. And yet through these last weary months of his life his sterling qualities were brought into relief. Stricken with a fatal and painful disease, which caused him intense suffering, worn out with pain and unable at times to write or even dictate a letter, with pluck and perseverance he endeavored to perform all the duties of his office and discharge with fidelity the trust his people had confided to his hands.

Could the secrets of that sick-chamber be known they would reveal an example of heroism seldom seen. Alas, that the glories of our mortal state are but as shadows! A man in the full vigor and power of his manhood is stricken by the hand of death. Rich in experience, his mind balanced, his brain well stored, it would seem as though our friend had hardly entered upon his career. The best that was in him was still in reserve. Could he have reached his three-score years and ten how beneficent might have been the remaining years of his life.

Judge NUTTING carried the same traits into all his relations in life. He was ever kind and courteous in his ways. He was patient and industrious; eloquent as an advocate be-

fore a jury or in a debate upon this floor, as well as upon the rostrum; as a judge, able, just, dignified; as a friend, generous, manly, true; as a Representative he never neglected either the constituency of his district or the still larger constituency of his country. In his family life he was kind and devoted as husband and father. His was a beautiful and true home life. He leaves a wife and four children to mourn his loss. His private life was above reproach. A total abstainer himself, he was an earnest advocate of the cause of temperance. He welcomed every reform in this direction and his voice was often heard, in public as well as in private, portraying the evils of the wine-cup.

He believed in the elevation of women, and was ever ready to lend a helping hand in opening the avenue to achievement and success for the gentler sex. He had always the courage of his convictions. I have heard him advocate the cause of female suffrage in public speech at a time when such a course was likely to jeopardize his own political success.

Early in life he became a member of the Presbyterian Church. Every Sabbath found him in his pew, and his life was that of a faithful Christian man. The following letter, written by him to a friend shortly before his death, was published by his pastor and beautifully illustrates his simple Christian faith:

MY DEAR FRIEND: I thank you for your kind expressions as to my health. I am in a sad plight, for I fear I can not recover. I am, however, in the hands of the One above us all, and will bow with the best grace I am able to His divine will.

I am hardly able to write, but will do all I can to the end. God bless you and yours, and may you see the sunshine of health for many years. May prosperity and happiness come to you and yours. The long, weary hours of day and night in pain and agony give me time to think of childhood, boyhood, and middle age. It is a strange world; so strange, indeed,

that you and I can not comprehend all there is of it—the why and the wherefore. We are, or I believe I am, just on the edge of the land of light, love, flowers, and music. The door will be open by and by, and a flood of light and knowledge will come and I will be led into the future. The rags, filth, disease, sorrow, sickness, and withal disappointments will stay here, and my spirit, with a clean, new, indestructible body, will go forward. This is the simple story as my mother gave it at her knee.

Yours truly,

N. W. NUTTING.

How pathetic the reference to his mother in the closing sentence. Soon after this letter was written, describing her as she appeared to him in his boyhood, he says: "She was a beautiful woman, and good, loving, and patient as she was beautiful. God bless, keep, and guard her down to the end, for she yet lives at nearly eighty years."

As the sun was declining on a glorious October day, he asked his wife to throw open the shutters that he might see the setting sun for the last time. And as its last rays kissed the earth and flooded his room with a halo of brightness his spirit took its flight to the "Land of Light."

Mr. Speaker, from out of this manly, earnest, Christian life, and from this chamber of death, there comes to us a living voice:

So live that when thy summons comes to join
The innumerable caravan which moves
To that mysterious realm where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry-slave at night,
Scourged to his dungeon, but, sustained and soothed
By an unfaltering trust, approach thy grave
Like one that wraps the drapery of his couch
About him and lies down to pleasant dreams.

ADDRESS OF MR. BAKER, OF NEW YORK.

MR. SPEAKER:

In the noontide of life he has left;
The crown and the goal have been won,
And the hands that have wrought for the Master
With toiling and labors are done.
Farewell to the friend brave and tender;
Farewell to the love tried and true;
Death may sever, but can not efface it;
In heaven 't will blossom anew.

NEWTON W. NUTTING represented in the last and in the present Congress a district between which and my own intimate business and commercial relations have long existed. He was well known and highly esteemed in business, public, and political circles in my city.

As a member of the legal profession he was not only known, but held high rank and enjoyed the fullest confidence of both bench and bar. He gave to client, constituent, and country the full benefit of a fruitful experience, his best and most earnest efforts. We were friends before Judge NUTTING came to the Fiftieth Congress. I thought I knew him well for some years before his first advent into public life. Such is the fact; yet I never learned fully to appreciate his real worth until the closer relations which followed his coming to the Fiftieth Congress.

Then the lawyer of rich attainments, the active, energetic business man of unspotted integrity, became revealed to me as the able legislator, the pure statesman possessing kingly graces and kingly culture; a man whose ambition was to promote justice, establish right, and to secure to his whole country the blessings of greatness and freedom in the highest and best sense. He was a man whose life and character may be held up as an example well worthy the emula-

Judge NUTTING was a man who lived out daily what was in him, and one might be sure that whatever he said or did was a reflection of his true inwardness. He was not a half-way sort of a man. Not only did he join Christ, but he joined the church as well; and church membership was to him no sinecure. Not only the Sabbath worship, but the week-day service, found him in attendance; and not only was he present, but disposed to testify, and that he did always in a modest, feeling, positive way. And it was always an exertion for him to take part in any such service; always I say—at any rate, when he first entered upon his Christian life.

I have seen the beads of perspiration on his forehead; I could hear his voice tremble, and he has told me that it seemed sometimes as though his knees would give way. Yet he felt that it was the thing to do and he was bound to do it. He was an interested teacher in the Sunday-school. He was a close, appreciative hearer of the simple gospel, and frequently expressive of his interest. He was a man whose religion was a practical reliance, an every-day and all-day affair. It was at his request that I went to his home, on the eve of his first Congressional term, and led the family in worship, commending him to God, that throughout his public career he might be kept pure and unspotted from the world. I can feel now the warm grasp of the hand he gave me, his earnest look, and his even more earnest amen!

The last time I saw him, several months before his death, was in the course of a visit to Oswego. I found him, as we all are, with a reasonable ambition to live and determined to employ every means to that end. His whole environment, public and private, official and personal, civil and religious, was such as to make life a very pleasant thing. At the same time I found him submissive as a well trained child and perfectly simple in his faith. He was always that. There was no religious vagary about the man. He was weighted with none of the nonsense, or superfluities, or conventionalism of the schools. He was simple-hearted, unaffected, high minded. This disposition, as is apt to be the case, came out into bolder relief as he approached the end. His nerve was the firmer, his endurance of exquisite pain the more impressive, his patience the more uniform, his courage the more steadfast, his submission the readier, his hope the brighter, because of the personal and practical hold he had upon the Christian faith.

The Bible tells us that unless we be converted and become as little children we can not enter the kingdom of heaven. Judge NUTTING was certainly converted, and throughout his experience he singularly retained the childlike spirit. How loyal he was to his friends, how faithful in that which is least, more than one soldier's widow can testify for whom he tried and tried again until what was due from the Government was decreed. He had a host of personal admirers and friends. His Congressional district was proud of their Representative. His political supporters, and, indeed, the supporters of all political parties, felt that their interests would be conserved in his hands. How fully that faith was

justified the record shows. His judicial career was an admirable preparation for Congressional life. It made him obviously broader, more impartial, more judicial.

So much, my dear Mr. Baker, I can say on the spur of the moment. It is a very imperfect expression of what Judge NUTTING seemed to me to be. It is an honest expression, though, and one that ought to help make his example tell upon those who survive him.

Yours very cordially, HENRY H. STEBBINS.

Mr. Speaker, the works and life of such a man with such a record will endure and influence for good all along through time. The brief time devoted by this House in paying tribute to the memory of such a man can not fail of making us, his surviving colleagues, better and stronger.

ADDRESS OF MR. BLANCHARD, OF LOUISIANA.

Mr. SPEAKER: It is only of Judge NUTTING as a colaborer in the work of this House that I can speak. I had not known him prior to his election as a member of the Forty-eighth Congress, and during his term of service here it had not been my good fortune to be thrown much with him in a social way; but in the line of our duty as members of this House I had occasion to know him well. On the organization of the Fiftieth Congress we were both assigned positions on the River and Harbor Committee; and as the work of that committee is long and laborious, extending through many months of the session and calling for daily and twice-daily meetings during that time, I had ample opportunity to acquire a knowledge of the man and to learn his intrinsic worth and value. He was assiduous in attention to the duties committed to him—none more so.

He was careful, painstaking, patient, thoughtful, and effective in his work. He was most considerate and just in

his judgment of men and things. He impressed me as a man who made conscience his guide and had the fear of God always before his eyes. A man of modest demeanor and quiet manner, he was firm and inflexible in contending for what he deemed right and in asserting the claims of his constituency and State. No district in the Union had a more faithful, earnest, zealous, conscientious Representative in Congress than his. He was always a safe man, such a man as should be kept in Congress by a constituency as long as possible to retain his services. He was a man of fine capacity, a good lawyer, a clear and forcible speaker, and taking him all in all he came, in my opinion, as near being the ideal Representative as any man I have met in an experience of some years in this House.

His great labors as a member of the River and Harbor Committee were productive of great good to the navigation interests of the Great Lakes. He thoroughly understood the needs of commerce for improved channels and safe and commodious harbors along those great water-ways of our country, and in his work here largely devoted himself to the task of securing adequate appropriations for the lake ports and for the channels between the lakes. Their improved condition to-day attests the value of his services.

But his sphere of usefulness was by no means confined to attention to the wants of his own people and section. His grasp of the Congressional situation took in the whole country. He was a broad-gauged man, patriotic, liberal, and tolerant. He did not consider himself merely the representative of a district or State. He was a representative of the whole people and country. Sectionalism was a word omitted from his vocabulary. He considered with the same spirit of intelligent liberality the claims of Texas on the south and Oregon on the west for the improvement of their

water ways as he did those of the harbors along Lake Erie or Lake Ontario in his immediate country.

It was during his service on the River and Harbor Committee in the Fiftieth Congress that the distressing malady which fastened upon him began to develop and assume a malignant form. He bore the infliction with fortitude and patience. I heard no word of complaint or distress escape him. He seemed self-reliant and courageous, and in the early stages of the disease hopeful. When it assumed its dreaded phase and the beginning of the end appeared, an humble follower of the meek and lowly Nazarene, I doubt not he became resigned to the decree of an all-wise and all-merciful God and found consolation in the example and precepts of the Master. I would naturally look for this in a man for whose character I had formed the estimate evidenced by these observations.

Mr. Speaker, when NEWTON W. NUTTING died the spirit of a good man and just winged its flight to God. The world was the richer and the better for his having lived in it. To his loved ones and his friends Heaven will be dearer because he is there. Peace to his ashes.

ADDRESS OF MR. GROSVENOR, OF OHIO.

Mr. SPEAKER: The ceremony of eulogy on occasions like this becomes almost an idle ceremony so far as the House of Representatives itself is concerned. I wish it might be otherwise. I wish it might be so that on occasions where a member has departed this life and the House has met as a tribute of respect to his memory there might be as marked a degree of interest taken in the ceremonies attending thereon

as is taken in the action and vote of the member while living and among us.

This member is dead, and no eulogy that can be pronounced here will reach his deadened sense of hearing, nor can it benefit him in any degree whatever. The only apology, therefore, for the ceremony in which we are now engaged is the manifest propriety that we should put on record our opinion of the character of the men who have served the country in official positions of this kind.

Mr. Speaker, what I shall very briefly say on this occasion shall be confined to my personal knowledge and appreciation of Judge NUTTING, which grew out of my association with him in the House of Representatives. He came, a stranger to me, at the organization of the Fiftieth Congress, although he had had Congressional experience at an earlier Congress than that. He was assigned to duty on the Committee on Rivers and Harbors, to which I had the honor to belong, and it was there and in the discharge of his duties within that room, and upon the floor of the House in connection with his work in that regard, that I made his acquaintance, and from that acquaintance and observation formed the estimate I did of his character. I knew nothing about him before that time, and in his intercourse with the members of the House, so far as I know, he indulged in but little conversation in regard to his former career and history. That he was a good lawyer, a man of clear, incisive intelligence, was apparent to everybody who came in contact with him.

The strong points of his service were fidelity to what he believed to be the right thing and industry to ascertain what was right. No amount of persuasion that had for its basis the mere wish of another swerved him from the results of his own judgment. He was a patient, careful, and efficient student of the questions affecting the discharge of his oner-

ous duties. He attended the meetings of the committee with the greatest possible regularity and carefully considered and estimated all the evidence that went to establish the matters of fact in the smallest as well as the largest measures that came before the committee.

I fully indorse, and I am glad, Mr. Speaker, in these days to do so, the statement made by my honored colleague on that committee from Louisiana [Mr. Blanchard], that in the exercise of his judgment and in determining the questions that came before him he was wholly free, absolutely free, from prejudice of any character.

The committee itself—its work, its jurisdiction—naturally tends to the development of non-partisan administration and non-sectional judgments; and in that regard the work of the committee met his full and constant approbation. The claims of a bayou of Louisiana were considered by him with as much zeal and careful research and with just as friendly an eye and judgment as the harbors of Maine or the inlets along the coast of his own State.

He had nothing, so far as ever I could see, that was akin to prejudice. His mind was constructed upon a liberal and broad basis. His intelligence developed the scope and cosmopolitan character of his judgment. He was a progressive man. He was not anchored to the past; he was alive to the present and ambitious of the future.

Modest and unassuming as he was, he was an ambitious man, with ambitious thoughts and hopes, and yet he never obtruded them in such a way as to make them offensive; for he was the exponent of the true quality of that ambition which makes a man struggle to be worthy of the confidence of his fellow-men.

Opposition to his views never irritated him. He had consideration for the opinions and feelings of others. He passed

a considerate judgment upon the opinions of men who antagonized him, even on questions upon which he thought he knew more than his antagonist; and that is the highest criterion of personal consideration for the judgment of others.

He belonged to a political party—the Republican party—and he loved it and believed in its principles; but he carried in that attachment and in the devotion he gave to the principles and the organization of his party no bitterness, no failure of consideration or appreciation for the judgment and opinion of the men of other parties. I never heard him make a severe or an unkind criticism of any man's political opposition in all my knowledge of him.

I reached the conclusion, Mr. Speaker, earlier than he did, that he was a victim, and that Death had marked him as his own; but at last it came to my knowledge that he had reached the same opinion, and then the strong characteristics of the man made themselves apparent to those about him. He did not complain; he did not annoy the people about him by the consideration of his own sufferings, but it was apparent that he was looking forward all the time to the certainty that his career was almost at an end.

I know not, Mr. Speaker, what it was that stood by him; I know not what the spirit was that buoyed him up. I have none of it. I have none of the experiences that run parallel to it. But I know there was a power of some kind more than mortal, more than human, that stood by him and gave the outlook a roseate, hallowed, blessed tint, that to me was a matter of exceeding surprise.

He is gone. The world, as has been said, is better for his having lived. His example made an impression on those who knew him only temporarily; and I can imagine that upon those of his immediate friends and acquaintances with

whom he associated in private life his influence must have been powerful for good. The noble example he set is to go forward in widening and ever-broadening streams of influence in the future.

I gratefully drop a tear of affection upon the bier of our departed brother and feel confident that no truer man or better man has fallen in the service of the Government within my recollection.

ADDRESS OF MR. SHERMAN, OF NEW YORK.

Mr. SPEAKER: A glance at the world's history, a contemplation and comparison of the events and the time within which they have occurred since the world was, impresses us with the comparatively small part played by each individual whose life extends to old age. The flight of a few decades, the participation in passing events, are jotted down and the history of a life is made and written; whether to quickly fade from the memory of the living or to long endure depends upon ourselves. Upon the mind, the heart, the soul of every being depends the impress left upon the future. We are not only the architects of our own fortunes, but the builders of our own monuments.

Judge NUTTING'S memory will long endure. The monument he built for himself will be lasting. His life, cut off though it was in its prime, its concluding chapter unwritten, yet filled a page larger and more important than that of the great mass of those who complete the allotment of three-score years and ten. Less than forty-nine years was given him in which to do his life-work. He did it all; he did it well. Two decades he devoted to service of the public. To complete this work within his short life his active

public career must have begun at the threshold of manhood, and so it did. At twenty-three he was chosen a school commissioner; at twenty-eight, the public prosecutor of his county; at thirty-seven, the judge of its highest court; at forty-two, a Representative in Congress. Always his every duty was manfully met and fully and faithfully performed. That he so lived as to impress his individuality upon his fellows, that he met the emergency of every changing scene in life, that he discharged every duty involved in the acceptance of many and varied trusts in such manner that he received the encomiums of all men, is his priceless eulogy. He was a man among men. He possessed a well balanced union of admirable qualities. His habits were industrious, studious, thoughtful; his will was indomitable, his temperament equable, his discernment accurate, his judgment just. So grouped were these characteristics that his successful career was a certain sequence. His public life was brilliant; his private life was beautiful. I will not lift the veil of grief which covers the home made desolate by his death, even to show its most beautiful side. It is best known to those to whom it is most sacred. To his friends, his neighbors, his colleagues here, in the school-room, at the bar, on the bench, everywhere and always, were shown the consideration, the courtesy, the unreserved dignity of grace and bearing that come from the kindly heart of a polished gentleman. He had the characteristic of men of large soul and tender heart, a love of nature. He loved it as a pastime and a teacher. Its study helped his feet along the Christian path he always trod.

But the "silent messenger" makes no distinction in his choice. The brave, the talented, the good, are called to follow him. His message came to Judge NUTTING. With heroic fortitude he struggled against the malady that baffled

human skill, to save the life so dear to others and to him because of them. But the end could not be averted. As the thread of life was slipping away on that October afternoon, he, seeming to cling to God's light, motioned for the blind to be thrown back that he might see it once more. The rays of the setting sun touched his face; lower and lower they sank; the light of the last ray vanished. The body of Judge NUTTING alone remained. His soul had followed the light to its home above the sun.

Beautiful twilight at set of sun,
Beautiful goal with race well run,
Beautiful rest with work all done.

ADDRESS OF MR. PETERS, OF KANSAS.

Mr. SPEAKER: The home of Judge NUTTING and my own were 2,000 miles apart; and yet in this age of civilization distance is almost eliminated. From my home in Kansas I first learned of his election to the Forty-eighth Congress, his election to an institution of learning which differs in some respects from many of our colleges in the country, but akin to those institutions in many other features. In this House we have a post-graduate class, a senior class, a junior class, a sophomore class, and a freshman class; and we have also members of a preparatory course. Unlike other institutions of learning, the member who comes here for the first time must enter the preparatory class. However strong he may be intellectually, however large and extensive his knowledge of public affairs may be, there is a peculiar class of knowledge in connection with legislative routine that can only be acquired here under the tutelage of the teacher known as "experience."

NEWTON W. NUTTING matriculated in this institution on the first Monday of December, 1883. He and I were classmates here, and in the lottery of seats we drew positions near each other. I now speak from the seat which he occupied in the Forty-eighth Congress. The reaper Death has been busy with the New York delegation since I first came to Congress. In looking over the list I find that seven of its members have passed beyond the river in the last four years. The first of them was Lewis Beach; the second, Abram Dowdney; the third, John Arnot; the fourth, Peter P. Mahoney; the fifth, Samuel S. Cox; the sixth, NEWTON W. NUTTING, and the seventh David Wilber. One of these at least, one whom we so well remember—I refer to Samuel S. Cox—might certainly be graded as a post-graduate from this institution of learning.

Mr. NUTTING came here realizing that his first year must be with the preparatory students, learning the routine of legislation; and well and faithfully did he pursue his studies. He was a man with whom I became acquainted early in the session, and he impressed me almost from the beginning of that acquaintance as being a man of admirable qualities. He was conscientious in the discharge of public duty, and that is a high commendation of any public servant; always present at his post, either in committee or in the House; always studious to learn, so that he might the better discharge whatever duty might devolve upon him. Not only this, but he was a man who was faithful to his convictions, and he had strong ones. Men of his character and mental training always have strong ones; and yet, notwithstanding the firmness of conviction, he was ever courteous in asserting it and ever ready for additional information that might change it.

He was also an earnest legislator in the investigation of

any subject in which the country or his constituents might be interested, giving such time to study as was possible, that he might the better prepare himself to meet the demands of the morrow. These qualifications impressed me early in his Congressional career, and naturally led me as his associate to consult with him in regard to matters of legislation. I always found him clear in expression, always earnest in his beliefs, always anxious to derive information.

During the Forty-ninth Congress he was not a member of this House; but when he returned to the Fiftieth Congress I again availed myself in many instances of his counsel, of his information, and of his kindly disposition to converse, with the idea that conversations upon subjects brought information. After the close of the Fiftieth Congress I did not see him until well along in the summer. I met him one bright sunshiny day, a characteristic Washington May day. I asked him how he was battling with his disease. He said, "I am struggling as best I can, but have only one chance in a thousand." We had some further conversation, and in that further conversation his magnificent courage to meet the future, let it be what it might, brought to my mind the idea that he was standing in a position where he could say, in those magnificent words of Whittier:

> And so beside the silent sea
> I wait the muffled oar.
> No harm from Him can come to me
> On ocean or on shore.
> I know not where His islands lift
> Their fronded palms in air;
> I only know I can not drift
> Beyond His love and care.

This was my last meeting with him. I believe now that our friend knows where those islands are. I believe that from the structure of his life, from the character of his be-

lief, from the faith that seemed to be implanted in him, not only intellectually, but religiously, he is in an island free from suffering and disappointment; that he has tasted the fruit of the hope to which his faith clung with the greatest tenacity. As one of his colleagues in this House, as one of his friends and associates, I desire to say that he was one of the men association with whom has made me stronger, has made me better, and has enabled me to discharge my duty more effectually.

ADDRESS OF MR. HENDERSON, OF ILLINOIS.

Mr. SPEAKER: The intimate and friendly relations existing between the late Judge NUTTING and myself were such during his entire service as a member of this body that I can not well refrain from adding on this occasion some tribute to his memory.

My acquaintance with him began soon after he took his seat in the Forty-eighth Congress. As a member of the Committee on Rivers and Harbors, which had for its consideration matters of improvement of great interest to his constituents, I was early brought in contact with him and had ample opportunity to study his character and to know something of his devotion to his public duties, and I can bear testimony to the intelligent, able, and faithful manner in which he represented the interests of the people of his district and State even in the first term of his service here.

For some reason Judge NUTTING was not returned to the Forty-ninth Congress, but was again elected to the Fiftieth Congress, in which he, with myself and others, was appointed a member of the Committee on Rivers and Harbors, one among the most laborious, responsible committees of the

House. And it was in our service as members of that committee that I learned to appreciate the high character of Judge NUTTING for ability, energy, and industry, and for his fidelity to duty.

For many months we were almost daily associated together in the work of the committee, and I believe it would be the universal testimony of every member of the committee who served with him that he was one of the most attentive, careful, industrious, painstaking members of the committee, and that he brought to the discharge of his duties a high degree of intelligence and an unswerving integrity.

While he was a quiet, modest man, and assumed no superiority of ability or merit over his associates, he was nevertheless an intelligent and capable man, and always desired to be well assured as to the rightfulness of his own action. He therefore investigated questions conscientiously and carefully before forming an opinion; but when formed, he was firm and courageous in maintaining and defending it.

In his intercourse with his fellow-members he was courteous and gentlemanly and commanded their respect no less by his affability than by his close attention to his public duties.

He was a true patriot. He loved his country devotedly and rejoiced in its prosperity and greatness. His love of country was in no manner narrow or sectional. While proud of his own great State he believed in our nationality and was broad-minded and generous in his views and disposed, so far as it could be properly done by national legislation, to promote the prosperity of the entire country.

But the labor of his life, honorable and useful as it was, is ended. To us who served with him in this Hall, and especially to those who served with him in the committee-room and knew him so well, his death was full of sadness.

When I first heard, Mr. Speaker, that Judge NUTTING was afflicted with the fatal malady which cut him down in the vigor of his manhood and his usefulness, I was deeply distressed. And it was a continuing sorrow to all of us as we watched his patient suffering from that terrible disease, which he no doubt realized would soon terminate his life. I never saw more patient endurance nor a calmer resignation to meet the end when it came than he exhibited up to the hour when I last met him.

He has truly left behind him the example of a noble life and is worthy of the honor we this day pay to his memory.

ADDRESS OF MR. T C. CATCHINGS, OF MISSISSIPPI.

Mr. SPEAKER: A warm friendship existed between Judge NUTTING and myself almost from the beginning of our acquaintance.

The first time I ever saw him was the day the Committee on Rivers and Harbors of the Fiftieth Congress, of which we were members, assembled for organization. I was immediately attracted by his uncommonly handsome face and figure, and his quiet and modest though manly demeanor; and seeking an introduction to him after the committee had adjourned, a long and to me most interesting conversation ensued. The acquaintance thus began soon ripened into a warm attachment, and many times after the labors of the committee for the day were finished did we linger in the rooms and exchange our thoughts and opinions and experiences.

He was a man of deep convictions, large information, and charitable judgment. Though our early environments had placed us wide apart as to many things, I found him singu-

larly free from intolerance, a good listener as well as a good talker, patient in argument, and always courteous and kindly.

He was a very patriotic man, an ardent believer in American institutions, hopeful always of the nation's future (though not blind to the perplexing problems confronting us), and firm in the belief that a great people, though at times swayed by passion, will always in the end triumph over difficulty and danger.

His own early struggles and his own successes, no doubt, had laid the foundation in his mind and heart for his absolute faith in the destiny of his country. I found that he had been a careful student of history, and had given great thought to all matters pertaining to the art and science of government. He discoursed upon this theme with great wisdom and eloquence, and would not admit a doubt as to the advantages of popular sovereignty. He believed that the people were the safest repository of power, and his admiration for the sagacity and wisdom with which the Revolutionary fathers had laid the foundation for our institutions was limitless. He rejoiced that the country was once more united, and was fond of drawing pictures of what it would be one hundred, two hundred, or three hundred years hence.

Both belonging to the legal profession, we naturally fell occasionally into the discussion of subjects relating to it. I found that he was not merely a thoroughly informed and equipped practitioner, but a jurist who had studied law as a great science, bearing upon all the relations of life, whether public or private, without which there could be no safety, no order, no government. He often spoke of the grave and solemn duties a lawyer owed both to his client and his State, and deplored the facility with which persons not fitted by learning or character were admitted to the profession, whereby its power for usefulness became so sadly

diminished. I am sure that in the practice of his profession he reached the high standard he would have set up for all.

In his committee work he was always serious and earnest. While believing that it was the duty of the Government to provide its citizens with every possible facility for their commercial pursuits, he was careful always to see that under the guise of public improvements no fraud was countenanced or imposition upon the Government permitted. He was fair and just in all of his work, and commanded the unqualified respect and confidence of his colleagues upon his committee.

He shirked no labor, even after the hand of death had touched him and his end was almost in sight. During the second session of the Fiftieth Congress, when it was known to all (and to none better than himself) that he was fatally stricken, he was as devoted and attentive to his committee work as ever. The only difference to be noted was that he was more quiet and serious, and that now and then for a moment he would seem to forget his work and to be looking afar off at something that no eyes but his own could see. But not a complaint fell from his lips. He trod the path of duty to the end, without a thought of turning aside. During this period, however, the conversations with him which I had so frequently sought and had so enjoyed altogether ceased.

When not engaged in his Congressional work his mind and thoughts were given over doubtless to the contemplation of his past life and preparation for that strange one which he was so soon to know. And so the days went by. His steps became heavier, the ruddy hue of health left his cheek, his manner became more and more serious, but to the last he bore himself as a dignified, courteous, and considerate gentleman. I never saw him after the adjournment of the Fiftieth Congress, but my sympathies and affections were with my stricken friend.

The story of his sickness and his suffering and his death would be the saddest that I have ever known were it not illumined by heroism, patient fortitude, and a Christian resignation which emblazoned the end of his noble and well-spent life with a halo of holiness and glory.

To me it will always be a pleasure to think of this dear departed friend. I wish that I could somewhat at least repay to his sorrowing family something of his unvarying kindness to me. But nothing is left save to give assurance of my affection for him and my profound sympathy for them.

The death of such a man as Judge NUTTING is a great loss to the country he loved and had served so well. He was in the very strength of manhood, mentally and physically, when the shadow fell upon him. His ripe experience, his learning in all those things needed in the performance of high public duty, and above all, his earnest and conscientious purpose, gave assurance that higher honors and loftier fame were within his grasp.

But while his onward and useful career was thus abruptly ended it should be a consolation to his friends to know that his useful and blameless life went out with honors and success crowding thick upon him.

He died in the enjoyment of fame, of the esteem of his friends, and in the hope of reward in that kingdom not made by the hands of men. It was a fitting end of a noble life.

The resolutions offered by Mr. Payne were unanimously adopted; and the House then (at 4 o'clock and 12 minutes p. m.) adjourned.

PROCEEDINGS IN THE SENATE.

JUNE 19, 1890.

The VICE-PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives; which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *April* 5, 1890.

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. NEWTON W. NUTTING, late a Representative from the State of New York.

Resolved, As a further mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, that the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

ADDRESS OF MR. HISCOCK, OF NEW YORK.

Mr. PRESIDENT: NEWTON W. NUTTING was most emphatically a self-made man. He was born and resided until his death in the county and Congressional district of New York which he represented in Congress at the time of his death. The district is overwhelmingly Republican and comprises a part of the fairest portion of the State of New York. I believe that no part of the State is richer in agricultural resources; it ranks high in manufactures; the merchants and bankers in the leading towns and cities are men of

marked ability and high character. Mr. NUTTING was a lawyer by profession, and until his election to Congress devoted himself assiduously to the practice of that profession, and I may add that the bar of the district was a very able one. In his Congressional district an election to the House of Representatives was regarded as a distinguished mark of favor and appreciation by the constituency. Their varied industries, their dependency to some extent upon Federal aid, prompted close scrutiny into the character and capacity of the candidate of the Republican party. I say the candidate of the Republican party because the district was so overwhelmingly Republican that whatever contest there was was within the ranks of that party, and it is just, therefore, to say of Mr. NUTTING that he competed for the honor with the best and purest of the State of New York; but his political triumphs were never won by unworthy means or doubtful methods. There, sir, the tricks of machine politics and packed caucuses were unknown and success depended entirely upon the judgment of the people, and without undue or unseemly effort on his part Mr. NUTTING easily commanded the honors conferred upon him.

I knew him well; we were warm personal friends. He died after a protracted struggle with a painful and from the outset a recognized deadly disease. He was a devoted husband and father, and I well remember when in this Chamber, with suppressed emotion and without regret for himself, he told me of his approaching death; that he was hopelessly afflicted and within a few months at furthest must die. It is sad, sir, to hear a strong man speak of his sure, near, and certain death, seemingly without emotion, until the thought of wife and children like a great wave rushes over him, when, with the same immobility of countenance, the tears stream from either eye.

Mr. President, Mr. NUTTING was stricken down in the full strength of manhood, in the possession of all his physical and intellectual powers. He was possessed of far more than ordinary ability, was industrious, and had a rare power of application. His friends might well have expected for him higher honors than he had achieved. As I have said, we were personal friends, and "friends" hardly expresses our relation. With a most absolute confidence in his integrity and judgment I would almost unquestionably have responded to his call for support of any legislative measure here that he approved.

When a valued friend dies, for a period, at least, one feels that his place can not be supplied. It is true, however, that vacant places in our social and political life are quickly filled. I believe, sir, that it is better so, as otherwise we would always wear the badges of mourning, and it is far better for society and each individual that griefs should be put behind us while we devote ourselves to the labors of life; but, sir, it will be a long time before NEWTON W. NUTTING will be forgotten by me and the other friends who loved and admired him.

Mr. President, I offer the resolutions which I send to the desk.

The Chief Clerk read as follows:

Resolved, That the Senate shares with the House of Representatives in its expressions of sorrow at the death of Hon. NEWTON W. NUTTING, late a Representative from the State of New York.

Resolved, That as a mark of sympathy toward the family of the deceased the Secretary will transmit to them a copy of these proceedings.

ADDRESS OF MR. EVARTS, OF NEW YORK.

Mr. PRESIDENT: The State of New York within the twelvemonth has been called upon three times to lament the death of distinguished citizens who held seats in the House of Representatives. A numerous delegation such as the State is entitled to exposes us, no doubt, to a greater frequency by this invasion of death than other States in their representations; but it has been an unusual occurrence that within this brief period three excellent and worthy Representatives, standing so high in the opinion of their colleagues, whether in that House or in this, and with the public at large, should have passed away.

My colleague [Mr. Hiscock] has related the circumstances of Mr. NUTTING's life, both private and public, and I might well leave that portion of the considerations that attend an occasion of this kind to what he has said; but the life of Mr. NUTTING as narrated is a very striking and interesting one. It is interesting in the circumstances which I shall advert to, and remarkable while it is not uncommon in the experience of our wide citizenship of this land.

Mr. NUTTING was born near the place of his residence and his home at the time of his death, and never, I believe, moved outside of that Congressional district. He was born the son of a poor clergyman, who was unable to give the advantages of collegiate education to his son, who, from the earliest time, attracted the attention of all who saw him as giving promise for distinction in life

But, Mr. President, while it is very common to speak of sons born in the circumstances that I have adverted to as not enjoying the advantages for a career that are open to

the sons of those who live in affluence and ease, the observation of American life justifies no such opinion.

What better circumstance can there be for a career under institutions like ours than that a son should be born to a clergyman, himself educated, and the husband of a wife attracted by considerations personal and elevated in character and in conduct—what better chance in life and under our institutions is there for a boy thus born and thus to be nurtured? Enjoying an academic education and with the father and mother attending his early efforts to overcome the disadvantage of not enjoying a college education (which I by no means depreciate), this boy went on and on in the eyes of his neighbors, in the eyes of his county, in the eyes of his district, and everybody knew that what he gained in public opinion and in his personal powers was what belonged to his nature and his right of birth, and his whole progress showed that he was strong enough to make his pathway for himself; and thus, without any step backward and without unseemly ostentation, he grew in the eyes of those about him till it became a natural interest of their own that his promotion should be accorded, and thus step by step he went forward in the profession, in a judicial employment, in confidence, in all the great relations of society, till he became a Representative from a great State with great interests in the House of Representatives.

Mr. President, it has been wisely stated, no doubt, that no one should be called fortunate until he be dead, and we might find much to notice in the darker shades of this departed life which might make us say that our deceased friend could not be pronounced fortunate when he was dead. "It is appointed unto all men once to die;" but it is not appointed to all men to stand for many months in view of the open grave that is being prepared for him. It is not ap-

pointed to every man to die when he has reached the high plane of personal, of moral, and of political influence and authority and then have all these accepted and enjoyed faculties and duties suddenly taken from him. And that was what befell our friend in his fiftieth year, when he had reached by climbing a plane from which no further climbing was necessary, for all the rest would follow from his accumulated power and credit.

And yet, Mr. President, when you look at the more serious relations of life, how it is but a span, whether it be of fifty years or of eighty years, and when you see that this life had been without a flaw and without a moral defect; when you see that there gathered around him ever an increasing number of adherents, admirers, and friends, and when you see, as is disclosed in what is stated by his colleagues in the House of Representatives, that his early faith had attended him from his boyhood to this open grave, we can say that this, too, is a fortunate life and a fortunate end.

Mr. President, no man but must be affected by the conduct of our friend during these declining months, which have so touchingly been adverted to. He was submissive; he was resigned; but, more than that, he was serene, and he left a memory and a faith to his household that will be to them a blessing and to them a sentence that their father's and their husband's life and the son's life was fortunate.

The VICE-PRESIDENT. The question is on the adoption of the resolutions offered by the Senator from New York [Mr. Hiscock].

The resolutions were agreed to unanimously.

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